

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

VENICE PI, LLC,

Plaintiff,

v.

SEAN O'LEARY JR., et al.

Defendants.

Civil Action No. 17-cv-988TSZ

VENICE PI, LLC,

Plaintiff,

v.

JONATHAN DUTCZAK, et al.

Defendants.

Civil Action No. 17-cv-990TSZ

VENICE PI, LLC,

Plaintiff,

v.

MARTIN RAWLS, et al.

Defendants.

Civil Action No. 17-cv-991TSZ

VENICE PI, LLC,

Plaintiff,

v.

INA SICOTORSCHI, et al.

Defendants.

Civil Action No. 17-cv-1074TSZ

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VENICE PI, LLC, Plaintiff, v. GREGORY SCOTT, et al. Defendants.	Civil Action No. 17-cv-1075TSZ
VENICE PI, LLC, Plaintiff, v. YELENA TKACHENKO, et al. Defendants.	Civil Action No. 17-cv-1076TSZ
VENICE PI, LLC, Plaintiff, v. CELINA POTTER, et al. Defendants.	Civil Action No. 17-cv-1160TSZ
VENICE PI, LLC, Plaintiff, v. TONJA LAIBLE, et al. Defendants.	Civil Action No. 17-cv-1163TSZ
VENICE PI, LLC, Plaintiff, v. VICTOR TADURAN, et al. Defendants.	Civil Action No. 17-cv-1164TSZ
VENICE PI, LLC, Plaintiff, v. JESSE COOPER, et al. Defendants.	Civil Action No. 17-cv-1211TSZ

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VENICE PI, LLC,

Plaintiff,

v.

JASMINE PATTERSON, et al.

Defendants.

Civil Action No. 17-cv-1219TSZ

VENICE PI, LLC,

Plaintiff,

v.

DAVID MEINERT, et al.

Defendants.

Civil Action No. 17-cv-1403TSZ

**DECLARATION OF MICHAEL WICKSTROM**

Under penalty of perjury, I, MICHAEL WICKSTROM, hereby state as follows:

1. I am Senior Vice President of Royalties for Voltage Pictures, a producer of the motion picture *Once Upon a Time in Venice*. I personally oversee the royalties and licensing of the motion picture *Once Upon a Time in Venice* for Venice PI, LLC and Voltage Pictures.

2. All matters in this declaration are submitted through personal knowledge and belief.

**About *Once Upon a Time in Venice* & Venice PI, LLC**

3. *Once Upon a Time in Venice* (hereinafter referred to as "Motion Picture") is an action comedy movie starring Bruce Willis, John Goodman and Jason Momoa, among others. In the Motion Picture, Bruce Willis plays the character Steve Ford, who is an L.A. based Private Investigator whose professional and personal worlds collide after his pet dog, Buddy, is stolen by a notorious gang. Steve Ford eventually finds himself doing the gang's bidding in order to retrieve Buddy.

4. The Motion Picture is easily discernible as a professional work as it was created using professional performers, directors, cinematographers, lighting technicians, set designers and editors and with professional-grade cameras, lighting and editing equipment. It has

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significant value and has been created, produced and lawfully distributed at considerable expense.

5. Venice PI, LLC is a special purpose entity (“SPE”) formed in 2015 to develop and produce the motion picture *Once Upon a Time in Venice*, which was released in 2017. Plaintiff Venice PI, LLC is a California limited liability company with principal offices in Los Angeles, California and an affiliate of Voltage Pictures, a production company with a notable catalog of major award-winning motion pictures. ([www.voltagepictures.com](http://www.voltagepictures.com)). Plaintiff Venice PI, LLC is a California limited liability company. *See* extract of California Secretary of State Registration of Venice PI, LLC, attached hereto as Exhibit A. Venice PI, LLC is owned and managed by Lost Dog Productions, LLC, a Nevada limited liability company. *See* extract of Nevada Secretary of State Registration of Lost Dog Productions, LLC, attached hereto as Exhibit B. Lost Dog Productions, LLC is in turn owned by Voltage Productions, LLC, a Nevada limited liability company. *See* extract of Nevada Secretary of State Registration of Voltage Productions, LLC, attached hereto as Exhibit C. Voltage Productions, LLC, an affiliated entity of Voltage Pictures, LLC, is a California limited liability company. *See* extract of California Secretary of State Registration of Voltage Picture, LLC, attached hereto as Exhibit D.

6. As a part of my duties for Voltage Pictures, I oversee the anti-piracy efforts of its affiliated SPE’s and the effects on motion pictures produced by Voltage Pictures, including the licensing, royalties and antipiracy efforts of Venice PI, LLC.

7. Venice PI, LLC owns the copyright to the Motion Picture. The Motion Picture is distributed by RLJ Entertainment, Inc., a Nevada corporation. On a quarterly basis, Voltage Pictures, LLC, on behalf of Venice PI, LLC, receives royalty payments from RLJ Entertainment for the distribution of the Motion Picture.

8. The use of SPEs is standard in the motion picture industry. This is because, in order to support the creative team, all royalties and earnings received through the distribution of a particular motion picture must be distributed only to those who actually worked on that particular motion picture. SPEs allow this “waterfall” of royalties to work. Additionally, when



we commenced our anti-piracy program, we implemented a policy that any net compensation received from the enforcement program would flow into the royalty “waterfall” and be distributed to only those who worked on the particular motion picture which is the subject of the lawsuit. This is why Voltage maintains the various Special Purpose Entities. It allows Voltage to keep the compensation for each title separate from the other titles.

9. Since I review quarterly royalty reports for all of Voltage's SPEs, I can see that our profit margins for all of our motion pictures are decreasing since our expenses continue to rise and piracy continues to undercut our revenues. As I mentioned in my previous declaration, because of piracy, we have seen 30-40% drops in revenues from video on demand.

10. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: February 2, 2018.



Michael Wickstrom

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served to all counsel or parties of record who are deemed to have consented to electronic service via the Court's CM/ECF system, and to all Defendants at their last known address via U.S. mail.

s/ David A. Lowe